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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,391	06/18/2001	Rainer Schmidt	FCS-PT001	8962

3624 7590 06/18/2003

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UNITED PLAZA, SUITE 1600
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PHILADELPHIA, PA 19103

EXAMINER

POKER, JENNIFER A

ART UNIT	PAPER NUMBER
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2832

9

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/868,391

Applicant(s)

SCHMIDT ET AL.

Examiner

Jennifer A. Poker

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

General Status

1. Amendment B filed on March 26, 2003 in paper number 8 is acknowledged. Claims 1-13 and newly added claim 14 are pending and are being examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 6, 8, 11, and 13 are rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent Number 4,961,049 to Ghislanzoni.

Referring to claims 1 and 6, Ghislanzoni discloses an apparatus, including a transformer, which is suitable for providing a signal. The apparatus further carries an electrical current, which may be A.C. and/or D.C, the apparatus comprises:

- (1) A primary conductive winding, which conveys the current. (Abstract)
- (2) A secondary conductive winding with a resistor, which forms an attenuation circuit.

(figure 7)

- (3) Coupling between the primary and secondary conductive windings. (Fig. 7)

Ghislanzoni discloses the claimed structure except for stating its use in a remote feeder reactance coil. Because the main structure of the systems between Ghislanzoni and that of the applicant are alike, it would have been obvious to one having ordinary skill in the art, at the time the

Art Unit: 2832

invention was made, that the winding structure may have been utilized in several electric devices in order to provide the same function of transferring energy.

Referring to claim 8, Ghislanzoni, illustrates in figures 1 and 7 that a resistor along with summing device is used for connecting the terminals for the secondary winding.

Referring to claim 11, Ghislanzoni illustrates in figures 1 and 7 that the primary winding is spirally wound onto a core.

Referring to claim 13, Ghislanzoni discloses a system, which provides electrical signals. Amplifiers together with the resistors are connected across the terminals of the secondary winding.

4. Claims 2-4, 5 7, 9, 10, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 4,961,049 to Ghislanzoni in view of U.S. Patent Number 4,806,834 to Koenig.

Ghislanzoni discloses the claimed invention except for the characteristics of the windings.

Koenig discloses an electrical circuit for carrying current comprising:

(1) (Referring to claims 2, 5, 7, and 14), Primary and secondary windings made of electrically conductive wire with resistance, wound about a common axis. (Figures 1 and 4)

(2) (Referring to claims 3 and 4), The turns of the secondary winding being located between the turns of the primary winding. (Figure 4)

(3) (Referring to claim 9), A tap (a terminal) connects the secondary winding to the primary winding. (Column 3, Lines 37-39)

(4) (Referring to claim 10), An insulating sheath (not shown) is disposed between the primary and secondary windings. (Column 4, lines 19-23)

One skilled in the art, at the time the invention was made, would have found it obvious to combine the teachings of Ghislanzoni with the teachings of Koenig to provide a connection

Art Unit: 2832

between the primary and secondary winding in order to transfer current. Furthermore, the incorporation of insulation on one of the windings or between them would protect the windings from one another.

Response to Arguments

5. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

6. In response to applicant's arguments, the recitation "...for supplying energy to, or withdrawing energy from, signal transmission lines," has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hiraio*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

7. Further arguments are addressed below:

- The objections to the specification are withdrawn.
- The objections to the drawings are withdrawn.
- The rejections under 35 U.S.C 112, second paragraph, are withdrawn.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2832

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer A. Poker whose telephone number is 703-305-4037. The examiner can normally be reached on 6:00-3:30, Mon.-Fri. (alternating Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin G. Enad can be reached on 703-308-7619. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.

jap
June 13, 2003


ELVIN ENAD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800
6/16/03